



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

December 18, 2020

VIA ECF

Hon. Ronnie Abrams
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

Re: *Raja Devapriya, et al. v. Barr, et al.*, No. 20 Civ. 5605 (RA)

Dear Judge Abrams:

This Office represents the government in this action in which plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to take action on their respective Applications for Naturalization (Form N-400). On behalf of the government, I write respectfully to request an on-consent extension of time of one month to respond to the complaint (*i.e.*, from December 22, 2020 to January 22, 2021). I also respectfully request that the initial conference presently scheduled for January 8, 2021 be adjourned to a date at least one week after January 22, 2021.

The extension and adjournment are requested because USCIS has scheduled plaintiff Raja Devapriya for a naturalization interview on January 11, 2021. Thus, the requested extension and adjournment will afford USCIS time to conduct the interview and to determine what next steps may be necessary for Raja Devapriya’s Form N-400, or to proceed to take adjudicate it, which would render that aspect of this action moot. With regard to the request to schedule an oath ceremony, I am informed that USCIS has been experiencing delays in scheduling oath ceremonies due to the pandemic, but anticipates that it may know more about scheduling in one month’s time.

This is the government’s second request for an extension of the deadline to respond to the complaint and third request to adjourn the initial conference.¹ Plaintiff’s counsel consents to these requests.

¹ On September 15, 2020, the government request an adjournment of the initial conference in light of the fact that the government’s response was not due until October 23, 2020. See ECF No. 11. On September 16, 2020, this Court granted that request. See ECF No. 12. On October 20, 2020, the government requested an extension of time to respond to the complaint and adjournment of the initial conference because USCIS had just received the plaintiffs’ files and needed time to review them. See ECF No. 13. The Court granted that request the following day. See ECF No. 14.

I thank the Court for its consideration of this letter.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: s/ Michael J. Byars
MICHAEL J. BYARS
Assistant United States Attorney
Telephone: (212) 637-2793
Facsimile: (212) 637-2786
E-mail: michael.byars@usdoj.gov

cc: Counsel of record (via ECF)

Application granted. The deadline for the Government to respond to the complaint is extended to January 22, 2021.

The initial status conference scheduled for January 8, 2021 is hereby adjourned to February 5, 2021 at 2:30 p.m. The parties' joint letter and proposed case management plan shall be filed no later than January 29, 2021.

SO ORDERED.


Hon. Ronnie Abrams
12/21/2020